



Frequently Asked Questions for Notary Public

What are the requirements to be a Notary Public?

Notaries Public are "commissioned" (i.e., licensed) by the Secretary of State. An applicant for a notary public commission must submit to the Division of Licensing Services an original application and \$60 fee. The application includes an oath of office, which must be sworn and notarized. In addition to the application form and fee, the applicant must have taken and passed the notary public examination. Examinations are regularly scheduled throughout the state. An individual who is currently a member of the New York State Bar or a court clerk of the Unified Court System, appointed to that position after taking a Civil Service promotional examination in the court clerk series of titles, while not exempt from the application fee, may be appointed a notary public without an examination. The term of commission is four years. Every person appointed as notary public must, at the time of his or her appointment, be a citizen or permanent resident alien of the United States and either a resident of New York or have an office or place of business in New York State.

Can a person convicted of a criminal offense become a notary public?

Generally, a person convicted of felony cannot be appointed as a notary public. Also, certain misdemeanors are considered disqualifying. However, should a person convicted of any crime obtain an executive pardon, a certificate of relief from disabilities, or a certificate of good conduct from the parole board, he or she may be considered for appointment.

What has the County Clerk's office to do with notaries?

Notaries Public are commissioned in their counties of residence. After receiving and approving an applicant for a notary public commission, the Secretary of State forwards the commission, the original oath of office and the signature of the notary public to the appropriate county clerk. The county clerk maintains a record of the commission and signature. The public may then access this record and verify the "official" signature of the notary at the county clerk's office.

Does a notary public receive any form of identification or license?

A newly appointed notary public will receive an identification card within four to six weeks of the date that the Division of Licensing Services receives his or her application. The identification card will indicate the notary's name, address, county and commission term.

The term of commission is four years. A reappointed notary will receive a replacement identification card from the Department of State within six to eight weeks of the date the county clerk receives his or her renewal application.

May a notary public charge for administering an oath or affirmation or for taking an acknowledgment or proof or execution?

A notary public may charge a fee of \$2.00 for administering an oath or affirmation or for taking an acknowledgment or proof of execution. Unless otherwise authorized by law, a notarial fee may not exceed this amount.

How do I renew my notary public commission?

The renewal application is posted to the notary approximately three months prior to the expiration of his or her term of office. The application must be completed and submitted with a \$60 fee to the county clerk where the notary is commissioned. Instructions for proper submission are included with the renewal application. The term of commission is 4 years

What happens if my document was notarized by a person who purported to be a notary public, but was not?

Generally, section 142-a of the Executive Law provides that a document notarized by a person who was not commissioned as a notary public will not be deemed invalid because of that fact. If you find yourself in a situation where you think this may be of importance, you should contact your attorney.

In addition to my residence address, should I provide you with my business address on my notary application?

The notary application address is subject to disclosure under the Freedom of Information Law and if an applicant does not want their residence address released, they may also provide our office with a business address for disclosure purposes only.

How do I change my name or address on my license?

If you have changed your name or address, you may submit a change of personal name or address form along with a \$10 fee. (The \$10 fee is not required if the individual name change is the result in change of marital status) You may also change your name upon renewal of your license/registration. You must provide proof of your name change, e.g. a copy of one of the following: court order changing your name; marriage certificate; driver's license, or a non-driver's ID card; valid passport; or immigration documents. Please note: A new ID card will not be issued to you following a change of name during the course of your commission, as you must continue to notarize using the name under which you were commissioned throughout the remainder of your term.

What name should I sign on the renewal application?

If you are changing or have changed your name, you should use your new name when signing your renewal application.